

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

Immunomedics, Inc.,)	
)	
Plaintiffs,)	
)	
v.)	
)	
venBio Select Advisor LLC, Behzad)	C.A. No. 1:17-cv-00176-LPS
Aghazadeh, Scott Canute, Peter Barton Hutt,)	
and Khalid Islam,)	
)	
Defendants.)	

STIPULATION AND PROPOSED ORDER

This Stipulation is made by and between putative Plaintiff David Goldenberg (“Goldenberg”) and venBio Select Advisor LLC, Behzad Aghazadeh, Scott Canute, Peter Barton Hutt, and Khalid Islam (collectively “Defendants”).

WHEREAS, on February 17, 2017, Immunomedics, Inc. filed suit against Defendants in the above-captioned case (the “Action”);

WHEREAS, on April 6, 2017, the Court entered an Order indicating an intent to dismiss all claims against the Defendants without prejudice, in ten days absent action by another party in interest to pursue the claims initially asserted by Immunomedics, Inc.;

WHEREAS, on April 17, 2017, Goldenberg notified the Court of his intention to pursue the claims in the Action and that he was in the process of retaining counsel;

WHEREAS, on April 28, 2017, Goldenberg notified the Court that he had retained counsel and intended to pursue the claims in the Action and file a complaint;

WHEREAS, on May 3, the parties executed a Settlement Term Sheet, pursuant to which the parties agreed to stay this Action to allow time to cooperate and reach a definitive negotiated resolution;

NOW THEREFORE, Goldenberg and Defendants, by and through their respective undersigned counsel in the Action, and subject to the approval of the Court, stipulate and agree as follows:

1. Once this Stipulation and Proposed Order has been approved by the Court, all litigation activity in the Action is stayed until such time as the Action is resolved by settlement or any other type of stipulated, consent, or otherwise agreed final judgment.
2. In the event that the parties are unable to reach a negotiated resolution, the stay of the Action shall be lifted upon the request and motion of any party.
3. In the event that the stay is lifted, the parties shall be restored to their positions as of immediately prior to the entry of this Stipulation and Proposed Order.
4. The Parties shall file a joint status report within thirty days from the entry of this Order.

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Advisor, LLC*

May 5, 2017

SO ORDERED this 9th day of May, 2017.


United States District Judge